THE CHARTER MUDDLE

The Mayor of New York Legislated Out of Office.

IS IT A "PUT UP JOB?"

Oan It Be Remedied by Legislation?

The Present Charter Defective-A Mistake or a Political Ruse to Get Rid of Mayor Havemeyer-A Prominent Lawyer en the Situation.

The manner in which the new city charter was d down and served up in the Assembly never has exactly satisfied the people of the metropolis Those who have had the time and courage to read it through have neither searched its ingeniously clauses for some secret meanings nor looked for some sinister object in every provision which seems to indicate an interest in the public welfare. That such motives may have actuated the framers of this elaborate do ment cannot be asserted, yet that a grave and strated. With the same promptness that it would give to the world news from any other poron of the world the HEBALD hastens to inform the people of the metropolis of a most unfortunate state of affairs now existing at the City Hall. It will be no less startling to the people at large than confusing to Mayor Havemeyer himself. mains to be seen, of course, what advantage the liticians will take of the embarrassed position in which the chief officer of the city of New York today finds himself.

A STARTLING BUMOR. As a representative of the Harald was yester day afternoon passing through the City Hall, near charnel cavern of dead and gone worthies, whose faces stare from grim canvas stretched upon the walls of the chamber known as the Governor's om, he heard a significant laugh frem one of two loitering politicians. In the next breath the other exclaimed: -"Consult the charter itself and you the real Mayor at this moment is Mr. Samuel Brevoort Hoskins Vance, President of the Board of Aldermen." Stopping no longer than to shake hands as they chuckled over their secret the two well-known worthles separated.

The HERALD man at once set out for the office of a prominent legal gentleman of unquestioned re-liability, and who has had a large practice in municipal questions. Regarding himself as exceedingly fortunate in finding that the legal gentleman was occupied within, the reporter sent in his card and was at once shown to the private office. Without any circumiocution the reporter asked, as the gentleman rose and greeted him cordially, "Can you grant me a few minutes in which to ask you some very important questions?" "I certainly shall be giad to give you any informa-

tion in my power," replied the lawyer.
"Thank you; I shall come right to the point

then," said the reporter. "Are there any provisions in the new charter relative to the Mayor? "Why do you ask?" said the lawyer, with a look

"I have just heard a rumor in the City Hall that the legality of Mayor Havemeyer's tenure of office is open to question. Is there anything in this? You have a copy of the charter, have you not? If there is any truth in this I should like to tell the

readers of the HERALD about it to-morrow." "You have at last got on the track of this. I said only a few days ago that this would never keep but it has leaked out before I anticipated."

"Then there is good foundation for the rumor, and it has been known for a week or more? anxiously asked the reporter. "There is no mistake," said the lawyer, smiling

as he took out an official copy of the charter. "It is true as Gospel, and I will give you the proofs." THE MAYOR OUT IN THE COLD. "This is certainly surprising, after all the time

spent in amending and overhauling this document he evidence is what the HERALD wants, and if you will be kind enough to proceed I will take it all down," said the reporter.

"First regarding the Mayor," said the lawyer. pleasantly. "In the last part of the charter (section 119) I read the following:—'The act entitled an act to reorganize the local government of the city of New York, passed April 5, 1879, and the act entitled an act to make further provisions for the government of the city of New York, passed April 26, 1870 (save sections 27 and 29 thereof), * . . are herewith repealed.' New, this repeal destroys all the powers conferred by the repealed charter, ex cept such as are contained or revived by the new one. The new charter legislates upon the subject of the Common Council, and provides (section 2) that the Assistant Alderman shall hold their offices for the remainder of their term. The Alderme are also provided for in section 4. Thus the new charter saves the Common Council and keeps them The only other elected officer is the Mayor. On turning to section 20 we read that 'the Mayor shall be elected at a general election and hold his office for the term of two years, con mencing on the 1st day of January next after hi election. The first election for Mayor under this act shall be at the general election in November in the year 1874.

THE PRESENT POSITION OF THE MAYOR. Mayor Havemeyer is holding his title under repealed charter, and there cannot be found in the new document a single clause in regard to his vided for and if it was necessary to insert a saving clause for them it certainly was essential for the continuance of the present Mayor."

"But is there not a provision of law by which incumbents in office hold over until their successors

"Yes, but this does not apply to elected officers It refers only to such as receive power by appointment. A test case was made in the contest between Mr. Fowler and Justice Bull for the judge ship of a district court in this city. The Court held that the law in regard to the holding of an office by the incumbent until his successor relieved him was not applicable to elected officers. Then section 21 provides distinctly for the contingency of Mayor Havemeyer being left out. It reads Whenever there shall be a vacancy in the office of Mayor * * * the President of the Board of Aldermen shall act as Mayor, and possess all the rights and powers of Mayor, * * In case of vacancy he shall so act until the first Monday of succeeding the next general election.

WHO IS THE HEAD OF THE CITY GOVERNMENT? "Do you mean to inter by this that President Vance is the legal Mayor of New York?" asked the

reporter. "Most certainly I do," replied the lawyer, "because the particular office for which Mayor Havemeyer was elected was created or made continu ous by the charter of 1870, which is now absolutely

"Is there any evidence in the document itself which would encourage the belief that this is a piece of political strategy?" asked the reporter.

"That the charter makers were aware of the general principle which I have explained appears throughout the document from all the saving which have been inserted. When repealing the act of April 26, 1870, which amended the charter of the same year we find (section 119) these words: 'save sections 28 and 29 thereof;' and when repealing the further amendment of 1871 we read, 'save sections 5, 6 and 7.' This omission of the Mayor may be

BITHER DESIGN OR ACCIDENT. I think it possible that when the Custom House charter was first introduced it provided for the continuance of Mayor Havemeyer, but that in the manipulations which it received in the Senate this alteration may have been made by some one who found himself thwarted, and took this means

revenging himself upon the Mayor. You remem-ber that this charter passed the House with a rush, after it was finally sent down from the Senate. All parties favored it, and democrats and republi-

cans alike voted for it blindly." "This certainly does took suspicious. This re-pealing section has already produced some confu-

"Yes. There being no saving clause as to the prosecutions begun against any of the late local officers and the charter being repealed, it became necessary to provide for this by a supplemental act said to have been drafted by Messrs. Tilden and O'Conor. This shows the danger of repealing the charter without greater care to insert sav-

ing clauses. "Has the Mayor's position been brought to the attention of lawyers?"

"No, I think not generally, but the document itself received the careful attention of several law-yers in its framing. This is all I know about the charter muddle; you are at periect liberty to print

ANOTHER LEGAL OPINION

Not altogether satisfied, the HERALD reporter then visited another lawyer, to obtain, it possible, his views upon the subject, which had now grown from a rumor to a valuable piece of news.

The lawyer said that he had not detected the omi sion of a saving clause for the Mayor, although he had carefully read the charter. Upon being shown a copy of the HERALD of April 17, containing the charter, and having the omissions pointed out, the awyer said :-

"Mayor Havemeyer unquestionably derives his right of office under the charter of 1870, which is now repealed. The effect of this is that

MR. VANCE CAN ASSERT HIS POWER as Mayor if he feels so disposed. He was elected as the factor of the Custom House party. He can send in appointments and take the chair of the Mayor. This would, of course, force the Mayor to take out papers quo warranto to test his title to office. Attorney General Barlow is in accord with the Custom House party, and has the absolute power to refuse to test a title to public office Then, if the Corporation Counsel and the Attorney General come to the conclusion that Mayor Have meyer is legislated out of office Mr. Vance and th Custom House party are masters of the situation If the Board of Aldermen required the attention of the charter makers, why did not the Mayor?" "Can this not be remedied by legislation ?" asked

the reporter. "No: the harm is done. Mr. Havemever is not legally out of office, and the Legislature cannot appoint a man to fill an elective office. This same difficulty came up in the trial of Mayor Hall. It was admitted that he was Mayor under the charter from May, 1871, till January 1, 1873. If Mr. Vance deems it wise to press his case and can get the cooperation of General Barlow he can be Mayor of New York on Monday."

A CHARTER CONSPIRACY.

Rumored Combination in the Common Council to Control the Appointments of the Mayor-What the Figure Head of the City Government Says About It-Interview with Some of the Supposed Plotters-What Sheridan Shook Says.

Mayor Havemeyer was, as usual, very busy yes terday, in consultation with his advisers on the nominations, and did not leave his office until nearly half-past seven o'clock last night. Of course the slate is not yet completed, but even thus early it is said there is a party of naughty people layin out plans to break it. A rumor was very prevalent about the City Hall yesterday to the effect that a secret caucus had been held on Thursday evening at the Matson Dorée, Broadway and Fourteenth street, at which Police Commissioner "Hank" Smith, ex-Collector Sheridan Shook and Thomas J. Creamer, Tax Receiver, were the presiding genii; that they had "fixed" things so as to block Mayor Have meyer's forthcoming nominations by organizing a majority of the members of the Board of Alder men, with an understanding that unless the nomi nations presented were entirely in accordance with their desires they would refuse to confirm them, and thus hold a "whip hand" over the chief

magistrate until they were reasonably conciliated. The names of eight members of the Roard wer also mentioned as constituting the potent majority who must be mollified, and there was no lack of believers in the story. The first gentleman who informed the HERALD reporter on the subject was

very earnest in his assertions, and said :-"I am satisfied there is something in it, for I got it straight from a man who was at the Maison Dorée last night."

INTERVIEW WITH THE WAYOR. A couple of hours later the reporter met Mayor Havemeyer and Comptroller Green, as they were leaving the office of the former gentleman, and up the Mayor replied, "Well, yes, I have heard some thing of it, but that is all. It is, as you say, a 'rumor,' but it seems to be going about rather strong-

"What is that?" inquired the Comptroller. "Oh this rumor about a caucus that has been held, through which a majority of the Board of Aldermen has agreed to block my nominations," re-

Turning to the reporter the, Mayor continued . I don't attach a great deal of importance to the rumor. Of course, there may be such a combina tion, but if there is it will work itself out. I shall take no steps either to head it off or find it out. don't think it could last long before the public such a thing were contemplated or attempted. Have you heard any names mentioned in connection with it?"

THE SUPPOSED CHIEF PLOTTERS.

"Yes," replied the reporter, "I have heard that
Sheridan Shook, Hank Smith and Tom Creamer are engineering the thing."

"But have you got the names of the eight mem-

"No. I have not; but I know where I can get them. I think. "Ah! well, I have the names of the eight mem bers. They were given to me this afternoon; but I

can't pretend to say, even from that, that there is

anything in the rumored conspiracy." replied the

"Well, can you give me the names as they have been reported to you, Mr. Mayor?" asked the re-"I suppose one of the most rapid and effective ways of breaking up any conspiracy is to expose it before its intended action has had a

chance to culminate." "Oh, I don't know," replied the Mayor, laugh-"That is a sure way of breaking up any improper combination; but you see I have only got a rumor, and it might be a source of great annoy ance to some of these gentlemen. It would annoy them to have their names published in connection with a thing of this sort, whether true or not. (Turning to the Comptroller.) What do you say,

"What is it?" inquired Green.

THE MAYOR "MUM."
"He wants the names of the eight Aldermen who are reported to compose this 'blocking' majority against the nominations. Do you think I ough o give them? You see I have got them only as a

"You've got nothing positive? Oh, I should hardly think it worth while to give them unless you get something more positive about it," replied r. Green, in a sort of indifferent mood.

"Well," interpolated the "newspaper man," addressing the Mayor, "if you give me the names I can call upon the gentlemen and ask them about it-put the question to them flat. If they deny it, it will put them on record for comparison with their votes when the nominations are acted upon. If there is any truth in it, it will alarm them, and they might turn pale a little, you know."

THE MEMBERS OF "THE MAJORITY." The Mayor smiled as he answered, "Oh, well, you know we don't want to get anybody frightened or turning pale. That would be too bad. I guess it won't be right of me to give the names; at any rate, I would prefer that you should get them from me other direction. I am not alarmed about the

affair anyway, as I think it will all settle itself

After a few more remarks on commonplace matters the Mayor, Comptroller and reporter went out into the rain and the reporter started on his own hook to get the names of the awful eight, and obtained the totlowing list as the phalanx, being teld that there were one Apolio Hall democrat, three republicans and four Tammany men in the party:-Aldermen Monheimer, Van Schaick, Koch,

Kerr, Reilly, Lysaght, Flanagan and McCafferty. In order to reach the "engineers" the reporte sloner Smith, but the Commissioner was not "at home." The Union Square Theatre was next visited, and Manager

SHERIDAN SHOOK was at his office, "as is his custom of the after-noon" on matinée days and every evening except Sundays. Upon being questioned regarding the affair Mr. Shook said:—
"I heard of this affair this afternoon, and have

seen talking to more of my friends about it. I can only say that I know nothing of any combination of the kind. I am aware that there has been some talk among members of the Board of Aldermen, in which they have expressed an opinion that they have a right, when the nominations are sent to them by the Mayor, to lay them over. And they argue this way. They say the Legislature has conferred this power jointly upon the Mayor and Alderalone should fill these offices, they would have said so. But they did not say so, and the Aldermen, or at least a number of them, think that inasmuch as the Mayor is making it a matter of several weeks ieration to select the appointees, that they, the Aldermen, should also have a similar privilege of properly scrutinizing the list, to examine int their record, qualifications and claims for appointments. That is all, and it seems perfectly fair They do not think they should be required or expected to act immediately when the nominations are sent in."

"Then there has been no caucus to make a com "None whatever that I am aware of and I co

tainly do not believe there has been any." A MYSTERIOUS MEETING. "Was 'Hank' Smith here or in the hotel last night

to your knowledge ?" asked the reporter. "Yes; he was in the theatre, and we had a fer minutes' talk about various matters; but there was nothing of that kind talked about. He often steps into the theatre, and we sometimes go into the Maison Dorée together."

"Was Mr. Creamer here also last night?" "Yes; I saw him also for a moment. I only spoke to him as I passed him in the corridor, just inside the hotel here. That's all. I had no conversation with him at all."

"Were you and Mr. Smith and Mr. Creamer here together at any one time last night?" asked the NO CAUCUS CONFESSED TO.

"We were not at any time tegether. I was with Mr. Smith; but I saw Mr. Creamer separately, and there was no meeting in the hotel of any kind last night."

This closed the conversation and the reporter next went to Mr. Creamer's residence in Stuyves ant street, but learned that the gentlemen was not at home, and as a consequence he escaped being interviewed. ALDERMAN J. J. MORRIS.

A visit was also paid to Alderman J. J. Morris, at his residence at 118 West Twenty-first street. In regard to the rumored corrupt combination of Common Councilmen he said :- "It's all idle gossip, and when I read it in the papers to-day I asked two Aldermen whose names and been mentioned in connection with this matter. They both laughed at it, and said there was nothing in it. The story is made out of whole cloth, believe me."

ALDERMAN REILLY
was visited later in the evening. He said:—"If the Mayor nominates men whom I believe fitting for the office I shall vote for them. I know nothin about the alleged conspiracy in question. I have and I believe we all in the Board have, in plicit confidence in Mayor Havemeyer's selections, I do not expect any trouble in the matter. I am in no way interested in any combination of that sort." ALDERMAN LYSAGHT.

This gentleman, who was found sick in bed, kindly consented to an interview and said:-"I know nothing about the conspiracy you allude to. When the nominations are sent in I shall, after considering the merits of the men, vote for them I believe them to be honest and suitable men. I this had been talked of among the democratic members I should have heard of it; but I have not I am sure Mr. Ottendorier will vote as I do-per fectly independent of any one else's desires but those of his constituents."

TERRIBLE STORM IN ARKANSAS.

The Town of Marion Nearly Swep Away-Loss of Life and Property. MEMPHIS, May 1, 1873. Last night's storm was one of the severest ex

perienced hereabout in years, and severely injure he growing crops of cotton and corn in some localities, besides unroofing and levelling houses in its path. Rain came down like a deluge, lightning and thunder were terrific and the wind almost ir resistable. The town of Marion, Ark., was almost swept away by the tornado, and that serious loss life did not take place seems s miracle, so great was its violence. It came from the south, and first levelled to its foundation the old Houston Hotel, long used as a tenement by colored people. Although there were many persons in the structure when it fell but a few were bruised, none seriously. Mrs. Crump's Hotel was unroofed and otherwis damaged; Dr. Whitseli's house and stable were down and the fences scattered. The iron blown down and the fences scattered. The iron roof of the County Jail was carried away several hundred feet; three or four prisoners escaped. The old Cherry House was also completely unroofed, and also the residence of a Mrs. Barton, who was lying dangerously sick at the time, and deserted by aer iemale attendants in their fright, was left for several hours exposed to the petiting of the storm, and when finally rescued was found to be almost beyond resuscitation. Sheriff Hardin's house was entirely scattered to the winds, only the foundation being left this morning. The Methodist church, the largest building in the town, was litted eight feet away from its foundations and is almost a total wreck. The public schoolnouse was also blown from its foundations and broken in two, making a total loss. The County Clerk's office was also blown down and some of the records lost and damaged. One end of A. T. Robinson's house was crushed in and the roof carried away. J. R. Chase lost all of his stables—not a vestige of them left; and the place which once knew W. D. Hardin's stables and gin houses knows them no more. Colonel Lyle's residence and that of Edward Lewis, adjoining or near by, were also destroyed during the storm. The air was full of debris, whiring and dying like mad. All the streets were found this morning in a state of blockade from destroyed buildings and upproted trees, some of the latter fairly torn to pieces, and people from the surrounding country reported that for miles there is not a fence left standing and scarcely a house or cabin uninjured. Estimates of the damage to Marion are about fifty thousand dollars. It is the capital of Crittenden country, Arkansas, and not more than twelve miles from Memphis. Several lives are reported to have been logt in the interior, but no particulars are at hand. roof of the County Jail was carried away severa LULL IN THE PENNSYLVANIA RAILROAD

FIGHT.

A despatch from Bradford at a late hour to-night states that the Connellsville men have been withdrawn from the scene and that quiet now prevails A force in the employ of the Pennsylvania Railroad still guard the point where the connections are severed and are ready to resist any attempt tha may be made to disturb the present arrangement of may be made to disturb the present arrangement of affairs. The Pehnsylvania Railroad evidently intend to guard against a surprise, and will maintain their large force at this point as long as circumstances require it. It is hardly possible Garett's men will make another forcible attempt to get possession of the branch. They will allow the Supreme Court to settle the dilicuity, being satisfied that justice cannot do otherwise than order the road again into their possession. The argument on the bill will be heard in the Court which sits in Harrisbarg next week.

CALIFORNIA.

Breaking Ground for a New Railroad. SAN FRANCISCO, May 1, 1873. Work was commenced to-day at Benicia on th

Central (narrow gauge) Railroad in the presence of a large concourse of citizens. Ex-Senator Cole and Jesse Grant were among the spectators.

AMONG THE CARLISTS.

A Herald Correspondent Visits the Defenders of Divine Right.

SEEKING DORREGARRY.

A Hard Ride in the Mountains and Valleys of Navarre.

BASQUE DEVOTION TO CARLOS VII.

The Peasants of Navarre Ready to Fight for Royalty Against los Republicanos.

ALIZONDO, March 20, 1873. If it is as difficult for the republican troops in Spain to find out the bands of Carlista dispersed mong the fastnesses of Navarre as it was to discover in London and Paris the chief authors of the movement, there is but little chance of the Republic gaining the day. But I found them, and, in consequence, found myself in Bayonne, accredited te the chief agent there for the Carlists, the secre tary, in fact, of the "Real Junta Auxiliar de la Frontera," the which junta, composed of various first hotels in that city. M. X., the Secretary a Frenchman, but none the less Carlist, is the very personification of activity, good humor and indomitable energy. He acts like the very sharpest spear upon the slower and more phiegmatic Span lards, and I am convinced that but for him my experiences would have been identically th same as these of M. Camille Farcy, correspondent of the Paris Figuro, who been floundering about among the mountains in search of the headquarters of General Dorregarry for the last fortnight, until he was obliged to con tent himself with an interview and a dinner a fresco with the fighting curé of Santa Cruz. M. X. however, promised me to send off an express at once to General Dorregarry, informing him that a special correspondent of the NEW YORK HERALD un grand periodico de New York, desired to follow his movements for a time, and begging him to give the necessary instructions for me to mee IN A FRONTIER TOWN.

Pending the reply, I went to Irun, the first Spanish town beyond the French frontier. Here we found the inhabitants in a state of considera ble excitement. All the entrances to the town seven in number, were fortified by a strong wall with loopholes and massive wooden gates. The arcades of the Townhall were also walled up and chevaux-de-frise constructed in various points approaching the town. The appearance of the place could not be more warlike but for one circumstance, and that was, there was not a soldier to be seen. There had been 2,000 government troops there about a week ago, but they had all left. In fact, if 100 Car lists-or 50 even-had chosen they might have walked into the town and taken possession of the fortifications as though they had been kindly con structed for them instead of against them. And on inquiry, it seems that the former really is the case. Four-fifths of the inliabitants of Irun at least are Carlists, and really desire to be annexed by the party they are devoted to. This philo-Carlism arises partly from the fact that all the people in the provinces of Guipuzcoa, Navarre and the rest of the Basque provinces are born Carlists, and cry, "Viva Don Carlos!" before they can stammer pap and mamma, and partly from jealousy that Bayonne is driving such a good trade with Spain in consequence of the lower tariff imposed by the Carlists at the douanes of Daucharinea and Val Carlos. I will give you a proof. The hospital at Bayonne enjoys a certain percentage on the value of the merchandise exported into Spain. The amount received by the hospital during the first quarter of 1871 was 835 francs, during the first quarter of 1872 1,500 francs, while the receipts from January 1 to March 15 of the present year, amounted to 2.247 france 75 centimes. Naturally the good citizens of Irun would like to participate in or monopolize the trade of Bayonne. I only met one man at Irun during my two days solourn there who spoke against the Carlists; and he, it is true, was forious. He raved against them, called them brigands, thieves, assassins, traitors, cowards and villains in one breath. He choked over his checolate, and rolled up his cigarette with such vehemence that he tore the papers by the dozen. His fury was, however, explicable, when I found out that he was a railway agent, and that in consequence of the stoppage of the line by the Carlists he was losing so much a day. I pitled him at first: but when he allured us into taking a promenade into the country, whereby we were caught in a pitiless storn which soaked us to the skin, while he, protected by a waterproof mantle and top boots, calmly told us it always rained at Irun, I secretly rejoiced at his mishaps, and at once registered a vow never to stir out in Biscay without a rubber coat of some sort.

to stir out in Biscay without a rubber coat of some sort.

On our return to Bayonne I found a note saying that if I liked I might start the same night, March 19, on my journey to join General Dorregarry. I did like, very much so, and in ten minutes had packed up my traps, a side pocket and one modest carpet bag, and was ushered into the presence of the Juna, where the Marquis of Q., with great cordiality and empressement bade me welcome, and furnished me with a Carlist pass and letters of introduction to General Derregarry and members of his staff. At eleven P. M. I was seated in a carriage with three other gentlemen, among them M. X., en route for the frontier of Daucharinea, about two and a half hours' drive distant. Rolling rapidly along through the dark, drizzling night nething of any importance happened until close upon the frontier, when two or taree French soldiers suddenly sprang out of the darkness and demanded, "Qui vice?" This was a contretemps. Fortunately, however, the officer on guard was a friend of M. X., and so we got off with the fright. But now our contraband operations commenced in good earnest. The carriage lamps were put out, the bells taken off the horses' necks and the pace reduced to a walk. At last, when about five kundred yards of the bridge over the stream that separates France from Spain, we decended, one of the party going ahead to reconstream that separates France from Spain, we deseended, one of the party going ahead to reconnoitre. When he returned we were disgusted with the information that "ces diables de gens d'armes" were actually awake, aith augh it was one o'clock in the morning, and that we should be obliged to make a detour of two miles and cross the stream farther up. So off we set, soundering in the mud, suddenly setting in a furze bush, splashing threugh pools of slush, pitching headlong over brambles and fences, or twisting our ankles over slippery stones, till I began to wish myself reading the Herald comfortably at home, to learn the situation, instead of picking it up among the Pyrenees. But happily we found a bridge (save the mark!), composed of two slippery blanks, ornamented with various holes, like a piece of wooden embroidery, over the neisy stream rushing forty feet below. Having been accustomed to Turklish bridges, cunningly constructed solely to break as many people's necks as possible, I would have crossed anything to get out of France and under a roof; but one of our party, an eld gentleman and short-sighted withal, viewed the narrow planks with feelings of decided fear. Taking him, however, between us, one in front and one behind, we ultimately succeeded in crossing and found ourselves safely landed on Spanish soil.

"Viva Caklos VII."

We soon arrived at the house where the Carlist guard was located. Dead silence, By dint of furious shoutings we at last roused the slumbering warriors from that sleep which was apparently engendered by a most excellent consciousness of having done and doing their duty. The door was unbarred and opened by a couple of staiwart fellows with the Navarrese Carlist cap, something like a Turkish fez flattened into a red pancake, on their heads, nondescript nether garments and coats of blue cloth, trimmed with red facings, &c. Each had a gun, of very antique appearance, in his hand and a mighty sabre at his side. Soon others appeared, to the number of about twenty, and after many greetings, stream that separates France from Spain, we de scended, one of the party going ahead to recor-noitre. When he returned we were disgusted wit the information that "oes diables de gens d'armes

soil.

The next morning the guard assembled in force, to the number of about one hundred and twenty. They were dispersed in groups, one of which was superintending the weighing of a cartiend of provisions which had been "requisitioned," and were being paid for in bonds on the future exchequer of King Carlos VII. As far as I could judge there seemed to be no objections to this financial arrange-

ment, and certain it is that on our journey to Alizondo we were continually invited to drink wine and eat something, for which payment was neither expected nor demanded. Prequently we were greeled with cries of "Vica los Carlistas !" I was much amused with the headdress of some of the peasants, consisting only of a scanty handkerchief tled round the head. But so impressed were they with the conviction that they really had a hat of some kind on their heads that they scrupulously doffed the kerchief whenever they entered our room. doffed the kerchief whenever they entered our room. They are all stalwart, stardy men, with marked and handsome features. All have bushy eyebrows and dinely chiselled noses and chins. In the morning we resumed our journey on horse-back, reaching Alzondo after a ride of five hours. Here we were met by a courier, with despatches, which will change our direction on starting to-morrow by ceach, with the prospect of joining General Dorregarry at night

With the Carlists in Navarre.

SAN MARTIN, Navarre, March 26, 1873. After partaking of a tiny cap of very thick, but very good checolate, served up with a couple of strips of toast and a glass of sugar water, we proceeded to the "fonda," where I was introduced to the "Gefe" or chief of the forces stationed at Daucharinea. He was a tall, gaunt personage of some sixty years of age, with sharply cut and deeply wrinkled features; hard and stern, as though carved out of a bleck of lignum vite. A first I thought he would prove but a sorry companion; he turned out, however, to be thoughtful for my comfort and was even fevial in dry, grim sort of manner. While the guard was being mustered, I was struck by their hearty good temper and by the bonhomie expressed on all features, which made one forget the dilapidated condition of the clothes these voluntarios of Don Carlos were dressed in. And here I may say that Navarrese peasants are all particular about their inen and a dirty shirt is rarely to be met with; the beds also are snowy white, and I never met with cleaner towels and table napkins than among the very lewest classes of the peasants in Navarre. Eight men were told off to escort the Gefe and

myself, and, mounted on a couple of the rough-

horses of the country, with their backs closely shorn, we set off at an amble for the next station occupied by the Carlists, at the Puerta de Velate, a pass ever the Western Pyrences leading to Alizonde, where we passed the night, and struck off the next morning into the mountains, rejoining the high road near a large posada, or inn, where the second station was located. Here I was handed over to the Gefe, who, increasing our escort to the number of twelve men, at once set off-part of the way being accomplished in a carriage-until, as before, we struck off into the mountains. Henceforth our road lay entirely among the hills, and can only compare a Spanish mountain road to an mmense boa-constrictor suddenly petrified during a violent attack or St. Vitus' dance and then con cred with cannon balls, large and small, and then well greased to make them as slippery as possible. In addition, it began to rain and hall in torrents and for the rest of the day we were either soaked in the clouds which enveloped the upper part of the mountains or sinking ankle-deep in the mire of the valleys below-the dull, heavy sky only being enlivened at rare intervals by a few straggling gleams of watery sunshine. But nething ging gleams of watery sunshine. But nething could exceed the good temper of the men, although it must have been very annoying to them to have to escort a heretic corresponsate over the mountains in such weather. They laughed, joked, chased each other about in the highest spirits, and if one of them stuck a couple of feet deep in the slushy mire the laughter of his comrades was only exceeded by the equanimity with which the victim received it and thundered forth a volley of coños and carrachos. It rained the whole day, and I. in received it and thundered forth a volley of coñor and carrachos. It rained the whole day, and I, in my water-proef, seen found that ingenuity has not yet invented any cloak proof against Navarrese and carrachos. It rained the whole day, and I, in my water-proef, seen found that ingenuity has not yet invented any cloak proof against Navarrese rains. I wondered how on earth the men could keep their health, for they have had this sort of thing for the last three months, until the riddle was solved when I saw one of them dressing. They all wear steut drawers, and around the waist and stomach they wind a long and broad woollen scarf in about six er eight thicknesses, and these precautiens, combined with their naturally strong constitutions, effectually protect them from the diseases which otherwise make such ravages among treops under similar circumstances. The climax of our troubles, however, commenced with approach of night, when in perfect darkness, go dark, in fact, that it was impossible to see the next man over my horse's head, we descended the mountain side at an incline of what seemed to me to be about ten feet in twenty. How I got down at all I have not the faintest idea: I am only conscious of being jumbled down some how or other, and of finding myself suddenly before the gates of the house where we were to pass the night. It was a private house belonging to one of the peasants; but in a few minutes we were seated before a rearing fire and drying our things—boots, shoes, cloaks and jackets. A lamb was then slaughtered and speeddily cit up and manipulated into a very savory stew, in which it is true the flavor of garlic predominated in a very marked degree; but, after the day's exertions, I think a small furze bush would have served as a bonne-bouche to appease my appetite with. In addition there were cauliflowers, eggs, "garbauzos," and an unlimited supply of wine. There is no doubt but that the Navarrese peasants live very well. Their daily bill of fare is as follows.—The first thing in the morning is a cup of thick chocelate and a glass of sugar-water; at about 9 o'clock they have a bouilion with plenty of bread in it, sausages or bacen and maize or potatees, eggs and a stew effects.

pienty of bread in it, sausages or bacen and malize of bread in it, sausages or bacen and malize kind protatees, eggs and a stew at kind and an accompanied with an unlimited supply of wine and bread, which is snowy white—such as is never seen in England. On the whole, the Spanish mode of living among the lower classes is exactly similar to that of the higher classes is other contries—at the oil and garlie of the Spanish culsing: but the fact is that oil and strong condiments, such as garlie, capsicums and pickled pepper poils, &c., are a climatic necessity in all southern climates.

The next morning, March 22, we were in the sadding and the station Suarti, which had been burnt down and the telegraph wires cut about a week before. A great deal of indignant vituperation has been wasted upon the Carlists on account of this sparently wanton destruction of railway property; but it must be remembered that it is a strategic necessity for them as long as the railway companies fortify and garrison their stations in order to be able to transport government troops and ammunition. The railway officials were always duly warned not to run trains on certain portions of their line; but as they crused, notwith standing, to obey these orders, there was really nething let for the Carlists on Browton of THE FROPLE FOR THEM KING.

After a very pleasant ride of nine hours—the only impediment to our progress arising from the irresistable invitations of the inhabitants of all the villages we passed through, to alight and take some refreshment, amid the inevitable cheers of "Viva Carlos Settimo"—we arrived at Echnuri, where I was introduced to the wife of General Ollo. The introduction to me was painful in the extreme. I did not know whom I was going to see, and feund invitable and the subject of the station of the battle for liberty and the republican troops of a country in which there are almost as many parties as there are provinces. It was not until I was about to leave and held out my hand to her to bid her goodby, that I discover

mand, their prospects and the plan of the campaign, as far as I can do se with discretion. I will only add at present that, as far as I have seen, old and young throughout the province of Navarra are as intensely Carlist and enthusiastic for the cause of Don Carlos as it is possible for any nation to be. Still mere, the Carlists are not composed at merely a few straggling bands of semi-bandits, but are well organized, and I have not heard of a single complaint made against them. They are received everywhere with the greatest manifestation of joy; are furnished with all they require; are so well informed of the movements of los otros that they have not the slightest difficulty in knowing exactly what to do, while the republicans themselves meet everywhere with a hostic pappilation and cannot extract one word of information regarding the Carlists, who were perhaps in the piace an hour before. I am told that the same is the case in nearly all the provinces and that all that is wanted is arms. I mean, however, to see for myself, and shall not take anything upon hearsay.

THE LATE JAMES BROOKS.

Arrangements for the Obsequies of the Deceased Journalist and Statesman The Autopsy-Action of the Arcadian Club and the Board of Aldermen.

The remains of the Honorable James Brooks will leave Washington this morning in charge of his son. They will reach New York this afternoon at

At the request of Dr. A. Y. P. Garnett, the family of the deceased acquiescing, a post-mortem exami-nation was made for ascertaining the cause of Mr. Brooks' death. There were present Drs. Garnett. J. C. Hall, Drinkard and Ashford, and two surgical experts from the Army Medical Museum, Drs.

Schaffer and Lamb, who performed the autopsy.

The examination developed the fact that the discase was an extended cancer on the posterior pertion of the stomack, from which the patient had

case was an extended cancer on the posterior pertion of the stomach, from which the patient had
been suffering probably for the past three years or
more. All the other organs of the body were found
to be in a healthy state, with some slight deviation
from a normal condition of the system. The result
confirmed the opinion held by Dr. Garnett as to
the nature of the disease.

THE BODY EMBALMED.

The body has been embalmed and is to be placed
in a burial casket of solid walnut, covered with fine
black broadcloth, with massive sliver moulding
around the top and bottom edges and at the points
of each angle. Sliver bar handles extend the entire length of each side, with handles of the same
metal on each end. The sides are ornamented with
sliver shields, beautifully chased in flower work.

The inside is padded and trimmed with festoon
satin quilted in flowers. The top is of entire metallic material, the frame being of sliver moulding
divided in the middle by a sliver crossbar, with a
French plate glass panel on each side, covering the
entire body.

Two detached wood panels covered with black
cloth are fitted to cover the glass top and fastened
with sliver thumbscrews. Either or both these
latter panels may be removed at pleasure, thus
exposing the inside to view. On the head panel is
a plain sliver plate, on which is the inscription:

JAMES BROOKS.

Born in Portland, Mc., November 10, 1810.

JAMES BROOKS.

Born in Portland, Mc., November 10, 1810.
Died in the city of Washington, April 30, 1873.

plates.

THE ARRANGEMENTS FOR THE FUNERAL are not yet completed, and the names of the pail bearers are not yet quite decided upon, but will be in the course of the day. The funeral will take place from Grace church, on Sunday, at 2 P. M.

Action of the Arcadian Club. The death of Mr. Brooks having removed from the sphere of journalism another co-laborer in the profession so largely represented in the Arcadian Club the Executive Council, at a special meeting. held on Thursday evening, passed the following resolutions:-

Resolved. That they bow with resignation to the will of Him who, during the short space of a few months, has removed by death so many emineat men of the Americas press aad several leading editors of New York.

Reselved. That while the community at large, and the profession particularly, still mourn the loss of Hennett and Greeley, the Arcadian Club feels itself called upon to place on record a tribute to the eminent services rendered by the late James Brooks to the American press while yet it was in its infancy, long before steam and the telegraph were used as auxiliary agents in diffusing the knowledge of current events te the different States of the Union.

Resolved. That in the latter years of his life James.

Resolved, That in the latter years of his life James Brooks, the self taught editor, retained up to his last hours the affection of numerous younger journalists, who learned from him the first principles of a profession whose members now mourn his loss and honor his memory.

Resolved, That a committee be appointed by the President to represent the Arcadian Club at the funeral of the dent to represent the Arcadian Club at the funeral of the deceased; and, further, Resolved, That a copy of these resolutions, duly engrossed, be sent to his bereaved widow and children. The following gentlemen were appointed a committee to attend the nuneral:—Hon. Henry G. Stebbins, Hon. Algernon S. Sullivan, L. Israels, B. F. Reinhart, J. R. Thomas.

Action of the Board of Aldermen. The Board of Aldermen met yesterday afternoo at four o'clock, pursuant to a special call for the purpose of taking action on the death of the Hor. President Vance presided. The reading of the

minutes of the last meeting was dispensed withe The Mayor sent in the following communication New York, May 2, 1873.
To the Honorable the Common Council:—
I avail myself of the opportunity offered me by your meeting of to-day to announce to you the death of the

meeting of to-day to announce to you the death of the Hon. Jarness Brooks, for many years, Representative in the Congress of the United States of the Sixth Congressionas district of this city.

Mr. Brooks has for a long period been connected with one of the prominent journals of this city, and in addition to his public service as Representative in Congress has, in his professional relations, been so interested in the great questions which have agitated the public mind for the past few years as to luvest his car eer with interest, which, in my judgment, calls for some respectful recognition from your honorable body. I therefore communicate to you the event of his death for such commemorative notice as it deserves at your hands, which I have no doubt it will receive.

M. P. HAVEMEYER.

Alderman OTTENDORFER made a few remarks

nicae to you he event of his death for such commendation notice as it deserves at your hands, which it have no doubt it will receive.

Alderman OTTENDORPER made a few remarks eulogistic of the deceased, and offered the following preamble and resolutions, which were unanting preamble and resolutions, which were unantimously adopted:

Whereas it has pleased Almighty God to call from our midst the Hon. James Brooks, editor and proprietor of the Evening Express newspaper, and a Representative in the Evening Express newspaper, and a Representative in active public career in the legislative halls of this State and nation, distinguished himself by advocating the interests of this metropolis by the introduction of means for its prosperity and advancement; and whereas the distinguished services rendered by him both as a journalist and a Representative to this city and to the country at large make it incumbent on us, as the municipal representatives of the people, to pay a proper and string tribute to his memory, and give official expression to our representatives in the community has sustained in his Ones of the proper of this city and journalist, and who has been called away in the midst of a career of public userfulness; and be it further.

Resolved, That we hereby tender our sympathy and condolence to the bereaved widow and family of the deceased, and that this tribute to his memory be entered in the journal of the Board.

As a mark of respect to the memory of Mr. Procket the Board then advices and the content of the Board.

As a mark of respect to the memory of Mr. Brooks the Board then adjourned.

Action of the German Democratic The German Democratic Liberal Central Con mittee held a meeting yesterday afternoon, at

which resolutions were passed enlogistic of the Hon. James Brooks. Sympathy was expressed for the bereaved family and regret at his loss as a public man, and it was resolved by the committee to attend the funeral in a body. Action of Attaches of the Express. At a meeting of the attaches of the Express yes terday afternoon resolutions were passed expressive of their sense of personal bereavement in the decease of the founder of that journal. A commit-tee was appointed to procure a suitable doral tribute to be placed upon the coffin of the departed. A committee was also appointed to engross the resolutions passed, and one was also appointed to present a copy of the same to Mr. Brooks' lamily.

PORTRAITS OF JAMES BROOKS.

WASHINGTON, D. C., May 2, 1873. Dr. Stone this morning took a plaster cast of the face of the late James Brooks to assist him in making a marble bust of deceased. Mr. Elder, of Richmond, Va., an old friend of Mr. Brooks, was also present to-day gathering materials for a picture.

FIRE IN PHILADELPHIA.

PHILADELPHIA, May 2, 1373. The woollen mill of Ammidown & Lane, on the Wissahickon, was damaged by fire this morning. The loss is \$15,000. The building is within the Park limits and had been purchased by the city, preparatory to removal, though the mill was still working.

PIRE IN ONTARIO, CANADA.

Mapoc. Ont., May 2, 1873. A fire this morning destroyed the Hoffman House and the block of stores in which it was situated, together with the Presbyterian church and the Town, Hall. The loss is about thirty thousand dollars.

FIRE IN MASSACHUSETTS.

FITCHBURG, May 2, 1873. The paper mill at Crockerville, near this city, owned by Crocker, Burbank & Co., was partly destroyed by fire last night, including considerable paper stock. The loss is \$10,900; covered by in-